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U.S. Department of Transportation  
**Research and Special Programs Administration**

DEPT. OF TRANSPORTATION  
DOCKETS

400 Seventh St., S.W.  
Washington, D.C. 20590

**APR 25 2003**

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RSPA-2002-12300-14

DOT-E 13002  
(SECOND REVISION)

**EXPIRATION DATE: September 30, 2004**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Defense  
Fort Eustis, VA
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of compressed nitrogen gas in accumulators that are an integral part of a launcher assembly. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306(f)(1) in that accumulators which do not have a burst pressure of at least five times the charge pressure are not authorized, except as specified herein; § 172.203(a) in that marking the exemption number on the shipping paper is waived; and § 172.301(c) in that marking the exemption number on the package is waived.
5. BASIS: This exemption is based on the application of the Department of Defense dated July 16, 2002 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Nitrogen, compressed	2.2	UN1066	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are diaphragm and bladder type accumulators designed, fabricated, charged and marked as specified in DOT-E 10898 that are installed as an integral part of the Unmanned Aerial Vehicle (TUAV) Launcher/Trailer. Accumulators prescribed herein are not subject to the requirements of the Hazardous Materials Regulations (HMR) 49 CFR Parts 171 - 180 except as specified in this exemption.

b. TESTING - The testing requirements contained in paragraph 7.b. of DOT-E 10898 are not applicable to accumulators installed as an integral part of the TUAV. However, accumulators must be pressure tested in accordance with the Department of Defense requirements described in their application on file with the Office of Hazardous Materials Exemptions & Approvals.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. The marking requirements of §§ 172.203(a), 172.301(c) and 172.302(b) and (c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM